IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 3440 OF 2005
IN
APPEAL LODGING NO. 1071 OF 2005
in
ARBITRATION PETITN NO. 224 OF 2005

Procyon Offshore Services Pvt.Ltd. .. Appellants
versus
Abhay Ocean India Pvt.Ltd. .. Respondents

...

Ms.V.M. Chaudhari i/b Mr.A.K. Lulla for the appellant.
Mr.Kedar Wagle for the respondent.

CORAM : R.M. LODHA AND
D.G. KARNIK, JJ

DATED : 20th December 2005.

P.C.:

. Heard.

2. The appeal suffers from delay of 34 days. By means of this Notice of Motion, the appellants pray for condonation of delay.

3. For the reasons stated in the affidavit in support of the Notice of Motion, we are satisfied that delay in filing the appeal may be condoned and the inconvenience caused to the respondents may be

compensated by award of reasonable costs.

4. We accordingly, grant the application in terms of prayer clause (a) subject to the appellants paying a costs of Rs.2,500/- to the respondents within two weeks from today.

5. Prayer clause (a) thus reads :

> (a) that this Hon'ble Court be pleased to condone the delay of about 34 days in filing of the said Appeal Lodging No.1071 of 2005, so filed on 13.10.2005;

6. The appellants shall satisfy the officei about the payment of costs to the respondents and thereafter, office shall process the appeal and post if for admission.

7. Notice of Motion stands disposed of.

(R.M. LODHA, J)

(D.G. KARNIK, J)